



Department of Defense DIRECTIVE

November 16, 1994
NUMBER 1344.13

DA&M

SUBJECT: Implementation of the National Voter Registration Act (NVRA)

- References: (a) Section 1973gg of title 42, United States Code, "National Voter Registration Act of 1993"
(b) DoD Directive 5105.53, "Director of Administration and Management," May 24, 1988
(c) DoD Directive 1000.4, "Federal Voting Assistance Program," November 25, 1980
(d) DoD Directive 5124.2, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," March 17, 1994
(e) Section 3501 of title 44, United States Code

A. PURPOSE

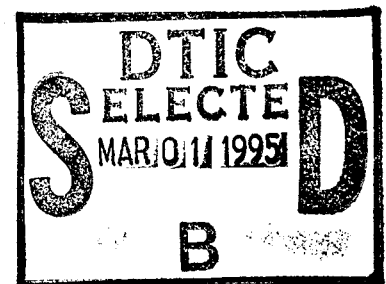
This Directive implements reference (a), wherein the Secretary of Defense is designated to develop and implement, jointly with each State, procedures for persons to apply to register to vote at recruitment offices of the Armed Forces, and designates the Director of Administration and Management, Office of the Secretary of Defense (DA&M, OSD), as lead DoD official to carry out this responsibility on behalf of the Secretary of Defense, consistent with references (b) and (c).

B. APPLICABILITY

This Directive applies to:

1. The Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, the Inspector General of the Department of Defense, the Uniformed Services University of the Health Sciences, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").
2. The U.S. Coast Guard through interagency agreement.

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C. DEFINITIONS

1. Armed Forces. The Army, Navy, Air Force, Marine Corps, Coast Guard, and their Reserve components.

2. Election. A general, special, primary, or runoff election to select candidates or nominees for Federal, State or local office or issues on State or local ballots.

3. Federal Office. The office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the U.S. Congress.

4. Recruitment Offices of the Armed Forces. Any office of a DoD Component or the Coast Guard open to the public, engaged in the recruitment of persons for appointment or enlistment in an active component of the Armed Forces. This does not include Army National Guard and Air National Guard recruiters.

5. State. A State of the United States, or the District of Columbia.

6. Voter Registration Agency. An office designated under 42 U.S.C. 1973gg (reference (a)) to perform voter registration activities. A recruitment office of the Armed Forces is considered to be a voter registration agency of the State in which the office is located.

D. POLICY

1. General

a. It is DoD policy to comply with all requirements of NVRA, and heads of the DoD Components shall cooperate with DA&M, OSD, and the Assistant Secretary of Defense for Force Management Policy (ASD(FMP)) in the implementation of NVRA.

b. The right of U.S. citizens to vote shall be protected, and discriminatory and unfair registration procedures shall be prohibited.

c. The names of persons applying or declining to register to vote may be used only for voter registration purposes and may not be released for any other purpose.

d. The NVRA applies to all U.S. citizens.

2. Restrictions

a. Military or civilian personnel employed in recruitment offices of the Armed Forces shall not:

(1) Make any statement or take any action to discourage eligible citizens or prospective enlistees from registering to vote.

(2) Make any statement or take any action to lead eligible citizens or prospective enlistees to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

(3) Seek to influence the political preference or party registration of an eligible citizen or prospective enlistee.

(4) Display any such political preference or party allegiance.

b. Consistent with NVRA, a person, including an election official, in any election for Federal office, shall not knowingly and willfully:

(1) Intimidate, threaten, or coerce any person for:

(a) Registering to vote, or voting, or attempting to register or vote.

(b) Urging or aiding any person to register to vote, to vote, or to attempt to register or vote.

(c) Exercising any right under NVRA.

(2) Defraud, or attempt to deprive or defraud the residents of a State of a fair and impartially conducted election process, by:

(a) Procuring or submitting voter registration applications that are known by the person to be materially false, fictitious or fraudulent under the laws of the State in which the election is held.

(b) Procuring, casting or tabulating ballots that are known by the person to be materially false, fictitious or fraudulent under the laws of the State in which the election is held.

E. RESPONSIBILITIES

1. The Director of Administration and Management, Office of the Secretary of Defense, shall:

a. Be the lead DoD official for developing and coordinating policy in accordance with NVRA.

b. Develop and coordinate with the States the implementation and operational procedures for persons to apply to register to vote at recruitment offices of the Armed Forces.

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c. In coordination with ASD(FMP), develop the internal DoD procedures for implementation and compliance with NVRA. Guidance and direction to the Armed Forces shall be through established channels under DoD Directive 5124.2 (reference (d)).

d. In coordination with the Services through the Assistant Secretary of Defense for Force Management Policy, develop training materials that may be required at recruitment offices of the Armed Forces to provide voter registration assistance.

e. Compile a statistical analysis of voter registration assistance provided; report to the Federal Election Commission an assessment of the impact of providing this assistance; and make recommendations for improvements in Federal and State procedures, forms and other matters affected by NVRA.

f. Maintain a problem resolution hotline for use by personnel assigned to recruitment offices of the Armed Forces and State election officials to answer questions concerning NVRA.

2. The Assistant Secretary of Defense for Force Management Policy, in coordination with DA&M, OSD, shall coordinate and develop policy, and monitor the activities of the recruitment offices of the Armed Forces, through the Secretaries of the Military Departments, on the implementation of NVRA and the policies in section D., above.

3. The Inspector General of the Department of Defense and Secretaries of the Military Departments shall ensure that inspections of recruitment offices of the Armed Forces include a review of compliance with this Directive.

4. The Secretaries of the Military Departments and the Commandant of the Coast Guard shall:

a. Provide the necessary support that may be required to comply with this Directive.

b. Ensure that all personnel assigned to recruitment offices are informed of these policies and that training deemed necessary to carry out the voter registration assistance is provided using materials developed by DA&M, OSD.

c. Provide for compilation and reporting of statistical information that may be required by DA&M, OSD, as directed by ASD(FMP).

d. Ensure that the recruitment offices of the Armed Forces shall:

(1) Provide to each prospective enlistee the DD Form 2644, "Mail Voter Registration Application," and DD Form 2645, "Voter Registration Information," as specified in NVRA, and designated by DA&M, OSD.

(2) Distribute to each eligible citizen the DD 2644 and provide assistance in completing the form unless the applicant refuses such assistance.

(3) Transmit all completed registration applications in a timely manner to the appropriate State election officials, as designated by DA&M, OSD.

(4) Provide to each eligible citizen or prospective enlistee, who does not decline to register to vote, the same degree of assistance for the completion of the DD 2644 as is provided by the office for the completion of its own forms, i.e., application for enlistment, unless the person refuses such assistance.

(5) Maintain statistical information and records on voter registration assistance in the format prescribed by DA&M, OSD, in coordination with ASD(FMP).

F. INFORMATION REQUIREMENTS

1. The Federal Election Commission is exempt from interagency licensing requirements in accordance with Federal Information Resources Management Regulation 201-9-202-2(2) (ii).

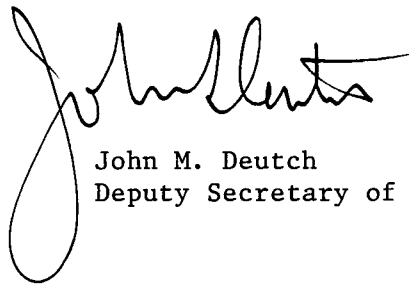
2. The reporting requirement for the DoD Components in subparagraph E.4.d.(5), above, has been assigned Report Control Symbol DD-DA&M(AR) 1948.

3. The reporting requirement for the Coast Guard in subparagraph E.4.d.(5), above, has been assigned Interagency Report Control Number 0424-DOD-QU.

4. The reporting requirement in subparagraph E.4.d.(5), above, is exempt from licensing requirements of Section 3501 of 44 U.S.C. (reference (e)).

G. EFFECTIVE DATE

This Directive is effective immediately.



John M. Deutch
Deputy Secretary of Defense